



UNITED STATES PATENT AND TRADEMARK OFFICE

Due: 4/13/02



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/037,981	11/09/2001	Nicolas John Dougill	18872.0004 0111 ✓

CONFIRMATION NO. 7856

FORMALITIES LETTER



\*OC000000007467305\*

Martin G. Linihan  
Hodgson Russ LLP  
Suite 2000  
One M&T Plaza  
Buffalo, NY 14203-2391



RECEIVED

MAR 06 2002

Date Mailed: 02/13/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

*Cludy*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

06/20/2002 SZEWDIE1 00000069 10037981

01 FC:105

130.00 OF



COPY OF PAPERS  
ORIGINALLY FILED

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on June 12, 2002

Martin G. Linihan  
Name

Signature

June 12, 2002  
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Nicolas John Dougill et al.

Serial No.: 10/037,981

Filed: November 9, 2001

For: Method Of And Apparatus For  
Removing Material

RESPONSE

Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

In response to the Notice To File Missing Parts of Nonprovisional Application mailed February 13, 2002, a copy of which is enclosed herewith are the executed Declaration together with payment of the surcharge fee.

Favorable action on this application is respectfully  
requested.

Respectfully submitted,

Hodgson Russ LLP

By *Martin G. Linihan*  
Martin G. Linihan, Reg. No. 24,926

One M&T Plaza, Suite 2000  
Buffalo, New York 14203-2391  
Tel: (716) 856-4000  
DATE: June 12, 2002

PFO/SB/7 (2/01) Approved for use through 10/31/2002; OMB 0651-0032

# FEE TRANSMITTAL

JUN 17 2002

for FY 2002

Patent Fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$530.00)

Application Number

10/037,981

Filing Date

November 9, 2001

First Named Inventor

Nicholas John Dougill et al.

Examiner Name

Group/Art Unit

Attorney Docket Number

18872.0111

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

■ Deposit Account: Deposit Account Number: 08-2442

Deposit Account Name: Hodgson Russ LLP

The Commissioner is hereby authorized to (check all that apply)

☐ Charge fee(s) indicated below

■ Charge any fee deficiencies or credit any overpayments

☐ Charge any additional fees during pendency of this application.

☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	\$
106	330	206	165	Design filing fee	\$
107	510	207	255	Plant filing fee	\$
108	740	208	370	Reissue filing fee	\$
114	160	214	80	Provisional filing fee	\$
<b>SUBTOTAL (1)</b>					\$0

Fee Code (\$)

Fee Code (\$)

Fee Description

Fee Paid

101 740 201 370 Utility filing fee

106 330 206 165 Design filing fee

107 510 207 255 Plant filing fee

108 740 208 370 Reissue filing fee

114 160 214 80 Provisional filing fee

**SUBTOTAL (1)**

\$0

2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE

Extra Fee from Claims below

Total Claims // -20\*\* = // x // =

Independent Claims // - 3\*\* = // x // =

Multiple dependent // x // =

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$)

Code (\$)

Fee Description

103 18 203 9 Claims in excess of 20

102 84 202 42 Independent claims in excess of 3

104 280 204 140 Multiple dependent claim if not paid

109 84 209 42 \*\*Reissue independent claims over original patent

110 18 210 9 \*\*Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

\$0

SIGNATURE: Martin G. Linihan

Martin G. Linihan Reg. No. 24,926

DATE: June 12, 2002 Telephone: (716) 848-1367

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity

Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	\$130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
139	130	139	130	Non-English specification	\$
147	2,520	147	2,520	For filing a request for ex parte reexamination	\$
112	920*	112	920*	Requesting Publication of SIR prior to Examiner Action	\$
113	1,840*	113	1,840*	Requesting Publication of SIR after Examiner Action	\$
115	110	215	55	Extension for reply within first month	\$
116	400	216	200	Extension for reply within second month	\$400
117	920	217	460	Extension for reply within third month	\$
118	1,440	218	720	Extension for reply within fourth month	\$
128	1,960	228	980	Extension for reply within fifth month	\$
119	320	219	160	Notice of Appeal	\$
120	320	220	160	Filing a brief in support of an appeal	\$
121	280	221	140	Request for oral hearing	\$
138	1,510	138	1,510	Petition to institute a public use proceeding	\$
140	110	240	55	Petition to revive - unavoidable	\$
141	1,280	241	640	Petition to revive - unintentional	\$
142	1,280	242	640	10 advance copies Utility issue fee (or reissue)	\$
143	460	243	230	Design issue fee	\$
144	620	244	310	Plant issue fee	\$
122	130	122	130	Petitions to the Commissioner	\$
123	50	123	50	Processing fee under 37 CFR 1.17(g)	\$
126	180	126	180	Submission of Information Disclosure Statement	\$
581	40	581	40	Recording each patent assignment per property (times number of properties)	\$
146	740	246	370	Filing a submission after final rejection(37 CFR 1.129(a))	\$
149	740	249	370	For each add'l invention to be examined(37 CFR1.129(b))	\$
179	740	279	370	Request For Continued Examination (RCE)	\$
169	900	169	900	Request for Expedited Examination of a design appln.	\$
Other fee (specify)					\$
*Reduced by basic filing fee paid					\$530

Fee Code (\$)

Fee Code (\$)

Fee Description

Fee Paid

105 130 205 65 Surcharge - late filing fee or oath

127 50 227 25 Surcharge - late provisional filing fee or cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for ex parte reexamination

112 920\* 112 920\* Requesting Publication of SIR prior to Examiner Action

113 1,840\* 113 1,840\* Requesting Publication of SIR after Examiner Action

115 110 215 55 Extension for reply within first month

116 400 216 200 Extension for reply within second month

117 920 217 460 Extension for reply within third month

118 1,440 218 720 Extension for reply within fourth month

128 1,960 228 980 Extension for reply within fifth month

119 320 219 160 Notice of Appeal

120 320 220 160 Filing a brief in support of an appeal

121 280 221 140 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,280 241 640 Petition to revive - unintentional

142 1,280 242 640 10 advance copies Utility issue fee (or reissue)

143 460 243 230 Design issue fee

144 620 244 310 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Processing fee under 37 CFR 1.17(g)

126 180 126 180 Submission of Information Disclosure Statement

581 40 581 40 Recording each patent assignment per property (times number of properties)

146 740 246 370 Filing a submission after final rejection(37 CFR 1.129(a))

149 740 249 370 For each add'l invention to be examined(37 CFR1.129(b))

179 740 279 370 Request For Continued Examination (RCE)

169 900 169 900 Request for Expedited Examination of a design appln.

Other fee (specify)

\*Reduced by basic filing fee paid

SUBTOTAL (3)

\$530

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on June 12, 2002

Martin G. Linihan

Name

Signature

June 12, 2002

Date of Signature

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